

# **LIDO GRAZIANI TRANSCRIPT AND EXHIBITS**

**LIDO A. GRAZIANI  
SCATCHELL vs VILLAGE OF MELROSE PARK**

February 05, 2020

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<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS 2 EASTERN DIVISION 3 4 JOHN SCATCHELL, ) 5 ) 6 Plaintiff, ) 7 ) 8 vs. ) No. 18-CV-03989 9 ) 10 VILLAGE OF MELROSE PARK, an ) 11 Illinois Municipal Corporation; ) 12 RONALD M. SERPICO; SAM C. ) 13 PITASSI; MICHAEL CASTELLAN; ) 14 and STEVEN ROGOWSKI, ) 15 ) 16 Defendants. ) 17 18 The deposition of LIDO A. GRAZIANI, 19 taken pursuant to the Federal Rules of Civil 20 Procedure of the United States District Courts 21 pertaining to the taking of depositions, taken 22 before LINDA SNODGRASS SABOR, CSR, RMR, CRR, a 23 Notary Public within and for the County of Cook, 24 State of Illinois, and a Certified Shorthand Reporter of said state, CSR No. 84-1850, at Suite 195, 333 Pierce Road, Itasca, Illinois, on the 5th day of February, 2020, at 2:24 p.m.</p>	<p style="text-align: right;">Page 3</p> <p>1 PRESENT: (Continued) 2 3 HERVAS, CONDON &amp; BERSANI, PC 333 Pierce Road - Suite 195 4 Itasca, Illinois 60143 Phone 630/773-4774 by: 5 MR. MICHAEL D. BERSANI MBersani@HCBAttorneys.com 6 7 appeared on behalf of Defendants Sam C. Pitassi, Michael Castellan, and Steven Rogowski. 8 9 10 11 ALSO PRESENT: 12 MS. CHRISTINA SABATER, Paralegal, Law Offices of Gianna Scatchell; 13 14 MR. JOHN SCATCHELL, SR.; 15 16 MR. SAM C. PITASSI; 17 18 MR. MICHAEL CASTELLAN; 19 20 MR. STEVEN ROGOWSKI. 21 22 23 24 REPORTED BY: LINDA SNODGRASS SABOR, CSR, RMR, CRR, CSR No. 84-1850.</p>
<p style="text-align: right;">Page 2</p> <p>1 PRESENT: 2 3 TALON LAW, LLC 105 West Madison Street - Suite 1350 4 Chicago, Illinois 60602 Phone 312/351-2478 by: 5 MR. CASS T. CASPER CTC@TalonLaw.com 6 7 -and- 8 9 LAW OFFICES OF GIANNA SCATCHELL 360 West Hubbard Street - Suite 1404 Chicago, Illinois 60654 Phone 312/248-3303 by: 10 MS. GIANNA SCATCHELL Gia@LawFirm.gs 11 appeared on behalf of the Plaintiff; 12 13 LANER MUCHIN 515 North State Street - Suite 2800 Chicago, Illinois 60654 Phone 312/467-9800 by: 14 MR. JEFFREY S. FOWLER JFowler@LanerMuchin.com 15 appeared on behalf of Defendant 16 Village of Melrose Park; 17 18 DEL GALDO LAW GROUP, LLC 1441 South Harlem Avenue Berwyn, Illinois 60402 Phone 708/222-7000 by: 19 MR. K. AUSTIN ZIMMER Zimmer@DLGLawGroup.com 20 21 appeared on behalf of Defendant 22 Ronald M. Serpico; 23 24</p>	<p style="text-align: right;">Page 4</p> <p>1 (WHEREUPON, the witness was duly 2 sworn.) 3 LIDO A. GRAZIANI, 4 called as a witness herein, having been first duly 5 sworn, was examined and testified as follows: 6 EXAMINATION 7 BY MR. BERSANI: 8 Q. Please state your full name and spell it 9 for the record. 10 A. Lido A. Graziani, L-i-d-o, middle A., 11 Adam, last name is G-r-a-z-i-a-n-i. 12 MR. BERSANI: Okay. Let the reflect that this 13 is the deposition of Officer Lido Graziani, taken 14 pursuant to the Federal Rules of Civil Procedure, 15 the local rules for the U.S. District Court for the 16 Northern District of Illinois, and this deposition 17 is taken pursuant to subpoena. 18 My name is Mike Bersani. I represent 19 Defendants Sam Pitassi, Mike Castellan, and 20 Steven Rogowski, who are also present here at the 21 deposition. 22 And I'd ask other counsel to introduce 23 themselves and their clients, if present. 24 MR. ZIMMER: Austin Zimmer on behalf of</p>

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<p style="text-align: right;">Page 5</p> <p>1 Mayor Serpico.</p> <p>2 MR. FOWLER: Jeffrey Fowler on behalf of the</p> <p>3 Village.</p> <p>4 MS. SCATCHELL: Gianna Scatchell on behalf of</p> <p>5 the Plaintiff.</p> <p>6 MR. CASPER: Cass Thomas Casper, C-a-s-s</p> <p>7 C-a-s-p-e-r, also on behalf of Plaintiff.</p> <p>8 MR. BERSANI: And you have two other</p> <p>9 individuals present.</p> <p>10 MR. CASPER: Oh.</p> <p>11 MS. SABATER: Christina Sabater, paralegal.</p> <p>12 MR. CASPER: And Plaintiff is also present.</p> <p>13 MR. BERSANI: Okay. Thank you.</p> <p>14 BY MR. BERSANI:</p> <p>15 Q. Now, Mr. Graziani, you don't have counsel</p> <p>16 present, correct?</p> <p>17 A. No, I don't.</p> <p>18 Q. Okay. And I told counsel before the</p> <p>19 start of the deposition that I've represented you in</p> <p>20 the past, in a prior federal civil rights lawsuit</p> <p>21 filed by a citizen regarding an on-duty incident.</p> <p>22 Correct?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. I have not represented you since</p>	<p style="text-align: right;">Page 7</p> <p>1 Q. Okay. And have you ever held any other</p> <p>2 assignments in your 20-plus years as a police</p> <p>3 officer at Melrose Park?</p> <p>4 A. No.</p> <p>5 Q. All right. And have you worked in any</p> <p>6 other -- with any other law enforcement agencies</p> <p>7 besides Melrose Park in your lifetime?</p> <p>8 A. I have, yes.</p> <p>9 Q. Where have you worked?</p> <p>10 A. Elmwood Park Police.</p> <p>11 Q. When did you work for Elmwood Park?</p> <p>12 A. March of '97 through June of '99.</p> <p>13 Q. Was your next employment after that with</p> <p>14 Melrose Park?</p> <p>15 A. Yes.</p> <p>16 Q. Did you work with any law enforcement</p> <p>17 agencies other than Melrose Park and Elmwood Park?</p> <p>18 A. No.</p> <p>19 Q. You currently work a shift?</p> <p>20 A. Yes.</p> <p>21 Q. What shift do you work?</p> <p>22 A. 8:00 a.m. to 4:00 p.m.</p> <p>23 Q. Okay. Who's your supervisor?</p> <p>24 A. Joseph Urso.</p>
<p style="text-align: right;">Page 6</p> <p>1 then, correct?</p> <p>2 A. Correct.</p> <p>3 Q. And we've had no contact since that</p> <p>4 lawsuit was resolved, correct?</p> <p>5 A. Correct.</p> <p>6 Q. Okay. And that was probably at least</p> <p>7 six, seven years ago?</p> <p>8 A. Correct.</p> <p>9 Q. Okay. All right. Your current</p> <p>10 occupation is a police officer for Melrose Park?</p> <p>11 A. Yes.</p> <p>12 Q. How long have you been employed by</p> <p>13 Melrose Park?</p> <p>14 A. 20 years and four months.</p> <p>15 Q. What's your current rank?</p> <p>16 A. Patrolman.</p> <p>17 Q. Have you held any other rank with the</p> <p>18 Melrose Park Police Department?</p> <p>19 A. No.</p> <p>20 Q. And what's your current assignment,</p> <p>21 patrol?</p> <p>22 A. Patrol.</p> <p>23 Q. Patrol division?</p> <p>24 A. Uh-huh. Yes, yes.</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. In the time frame of 2016 to 2018 do you</p> <p>2 recall what shift you worked?</p> <p>3 I know there were rotating shifts in</p> <p>4 there.</p> <p>5 A. We were flip-flopping, yeah.</p> <p>6 Q. Right.</p> <p>7 Okay. So you worked -- you rotated</p> <p>8 shifts in that time period.</p> <p>9 A. Correct.</p> <p>10 Q. At some point the department went to</p> <p>11 permanent shifts, correct?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Do you recall when you went to a</p> <p>14 permanent shift?</p> <p>15 A. Permanent shift --</p> <p>16 Q. Yeah.</p> <p>17 A. -- would be -- we started this two years</p> <p>18 ago, I believe.</p> <p>19 Q. Okay. That sounds about right.</p> <p>20 In the 2016 to 2018 time period was</p> <p>21 Lieutenant Urso your lieutenant, your shift</p> <p>22 lieutenant?</p> <p>23 A. Yes.</p> <p>24 Q. And so how long has he been your shift</p>

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<p style="text-align: right;">Page 9</p> <p>1 lieutenant?</p> <p>2 A. Probably four years now.</p> <p>3 Q. Okay. Have you ever worked on a shift</p> <p>4 where John Scatchell, Senior, was your supervising</p> <p>5 lieutenant?</p> <p>6 A. Yes.</p> <p>7 Q. When was that?</p> <p>8 A. Prior to his retirement, he was under</p> <p>9 Joseph Urso's shift as lieutenant.</p> <p>10 Q. So there was a period time -- or, strike</p> <p>11 that.</p> <p>12 You're aware that in May of 2017</p> <p>13 John Scatchell, Senior, was assigned to the station</p> <p>14 supervisor position.</p> <p>15 You're aware of that?</p> <p>16 A. Yes. A brief time, I believe.</p> <p>17 Q. Okay. And so prior to that,</p> <p>18 Lieutenant Scatchell and Lieutenant Urso were your</p> <p>19 shift lieutenants?</p> <p>20 A. Well, it was more Lieutenant Urso then.</p> <p>21 Q. More Urso?</p> <p>22 A. Yeah.</p> <p>23 Q. Okay. Okay. But Lieutenant Scatchell</p> <p>24 was on the same shift as Urso --</p>	<p style="text-align: right;">Page 11</p> <p>1 Q. Okay.</p> <p>2 A. If Lieutenant Scatchell was the station</p> <p>3 supervisor, I would answer to Lieutenant Urso.</p> <p>4 Q. Okay. And if Lieutenant Urso wasn't</p> <p>5 present, but Lieutenant Scatchell was present as</p> <p>6 station supervisor, then you would -- you would</p> <p>7 report to him?</p> <p>8 A. Yes.</p> <p>9 Q. Okay.</p> <p>10 A. Or the acting sergeant.</p> <p>11 Q. Or the acting sergeant.</p> <p>12 Okay. Now, how long have you known</p> <p>13 John Scatchell, Senior?</p> <p>14 A. Most of my career.</p> <p>15 Q. 20-plus years?</p> <p>16 A. Maybe about 18.</p> <p>17 Q. Okay. And did you grow up in</p> <p>18 Melrose Park?</p> <p>19 A. No, I did not.</p> <p>20 Q. Where did you grow up?</p> <p>21 A. Elmwood Park.</p> <p>22 Q. Elmwood Park.</p> <p>23 Okay. Did you know him while you --</p> <p>24 growing up in Elmwood Park?</p>
<p style="text-align: right;">Page 10</p> <p>1 A. Yes.</p> <p>2 Q. -- and you, correct?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And you believe that was for about</p> <p>5 a four-year period of time?</p> <p>6 A. As far as four years -- I think between</p> <p>7 '16 until maybe '18.</p> <p>8 I'm a little mixed up with the numbers as</p> <p>9 far as how many years ago it was.</p> <p>10 Q. Okay.</p> <p>11 A. I just --</p> <p>12 Q. Understood. That's fine.</p> <p>13 A. It was a couple years when I switched</p> <p>14 shifts.</p> <p>15 Q. Okay. It's accurate to say, though, that</p> <p>16 when John Scatchell, Senior, was assigned to the</p> <p>17 station supervisor position, he ceased to be your</p> <p>18 direct supervisor.</p> <p>19 That's correct?</p> <p>20 A. I believe the station supervisor is a</p> <p>21 little different than who would be your patrol</p> <p>22 supervisor.</p> <p>23 Q. Okay.</p> <p>24 A. So I would answer to Lieutenant Urso.</p>	<p style="text-align: right;">Page 12</p> <p>1 A. No.</p> <p>2 Q. So the first time you met him was when</p> <p>3 you started working for Melrose Park?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Do you consider John Scatchell,</p> <p>6 Senior, to be a friend of yours?</p> <p>7 A. Well, I mean, you know, acquaintance --</p> <p>8 Q. Do you socialize --</p> <p>9 A. -- friends.</p> <p>10 Q. -- with him?</p> <p>11 A. Not, like, on a daily basis. If, you</p> <p>12 know, come in contact, hi, bye, how's it going.</p> <p>13 Q. Prior to his retirement, did you</p> <p>14 socialize with him at all?</p> <p>15 A. I'm sure via text or -- yeah.</p> <p>16 Q. Things like going out to dinner or --</p> <p>17 A. Oh. No, no, no.</p> <p>18 Q. -- you know, going to his house or him</p> <p>19 coming to your house --</p> <p>20 A. No.</p> <p>21 Q. -- things like that?</p> <p>22 A. No, no, no, no, no.</p> <p>23 Q. No?</p> <p>24 A. No.</p>

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<p style="text-align: right;">Page 13</p> <p>1 Q. Okay. Were you active at all in the FOP?</p> <p>2 A. No.</p> <p>3 Q. Do you know what this present lawsuit is</p> <p>4 about?</p> <p>5 A. I have an idea. Not, you know --</p> <p>6 Q. What's your idea?</p> <p>7 A. I mean -- I mean, I don't really want to</p> <p>8 say much because I don't know much about what's</p> <p>9 really going on here. Why I'm really here, I don't</p> <p>10 know.</p> <p>11 Q. Okay.</p> <p>12 A. I really don't know why I'm here.</p> <p>13 Q. Do you know any details about</p> <p>14 John Scatchell, Senior's allegations made in the</p> <p>15 present lawsuit?</p> <p>16 A. I don't.</p> <p>17 Q. Okay. Have you spoken to his attorneys</p> <p>18 at all about his lawsuit --</p> <p>19 A. No.</p> <p>20 Q. -- or today's deposition?</p> <p>21 A. No.</p> <p>22 Q. Okay. How about with John Scatchell,</p> <p>23 Senior, directly? Have you ever spoken to him about</p> <p>24 any allegations or claims he's making in this</p>	<p style="text-align: right;">Page 15</p> <p>1 incident, independent of looking at the report?</p> <p>2 A. I do.</p> <p>3 Q. Okay. Does this report -- do you</p> <p>4 remember all the details of the incident or do you</p> <p>5 need this report to help, you know, answer</p> <p>6 questions?</p> <p>7 A. I remember. Yeah, I remember.</p> <p>8 Q. Okay. Well, we'll keep it in front of</p> <p>9 you, and so if there's any point in time that you</p> <p>10 don't remember something and you want to refer to</p> <p>11 the report, let us know that, and we will take a</p> <p>12 look at it.</p> <p>13 A. Okay.</p> <p>14 Q. And if it helps you remember, then tell</p> <p>15 us that.</p> <p>16 Okay?</p> <p>17 A. Okay.</p> <p>18 Q. All right. So tell us what you remember,</p> <p>19 kind of starting at the beginning, about this</p> <p>20 particular incident.</p> <p>21 A. I just remember the call coming over the</p> <p>22 air of the radio that night of shots fired in the</p> <p>23 area, and I responded to the immediate area. And</p> <p>24 when I got there, I was flagged down by</p>
<p style="text-align: right;">Page 14</p> <p>1 lawsuit?</p> <p>2 A. No.</p> <p>3 Q. Okay. All right. So I'm going to hand</p> <p>4 you what we're going to mark as Deposition Exhibit</p> <p>5 No. 1.</p> <p>6 (WHEREUPON, a certain document was</p> <p>7 marked Graziani Exhibit 1, for</p> <p>8 identification, as of 2/5/2020.)</p> <p>9 BY MR. BERSANI:</p> <p>10 Q. Okay. So this is a report, a narrative,</p> <p>11 of an incident that took place on December 16, 2016,</p> <p>12 at approximately 1:11 a.m. It appears to be</p> <p>13 authored by you.</p> <p>14 Why don't you take a look at it, and I've</p> <p>15 got some questions for you about this report and</p> <p>16 about the incident in general.</p> <p>17 (WHEREUPON, there was a short</p> <p>18 pause.)</p> <p>19 BY THE WITNESS:</p> <p>20 A. Okay. Yeah.</p> <p>21 BY MR. BERSANI:</p> <p>22 Q. Okay. Have you had a chance to read it?</p> <p>23 A. Yeah.</p> <p>24 Q. Okay. And, now, do you remember this</p>	<p style="text-align: right;">Page 16</p> <p>1 Lieutenant Scatchell at the time. He advised me</p> <p>2 that someone had discharged some fireworks in his</p> <p>3 driveway. There was, in fact, debris.</p> <p>4 Q. Okay. Let me stop you right there.</p> <p>5 I know there's more to your report, but</p> <p>6 let me ask you a few questions about what you've</p> <p>7 testified to so far.</p> <p>8 A. Uh-huh.</p> <p>9 Q. You were, in fact, dispatched to this</p> <p>10 shots fired call, correct?</p> <p>11 A. I believe so. I was there.</p> <p>12 Q. And by "dispatched," meaning that the</p> <p>13 communication center specifically dispatched you to</p> <p>14 respond to this call, correct?</p> <p>15 A. Yeah.</p> <p>16 Q. And were you alone?</p> <p>17 A. No.</p> <p>18 Q. Okay. Was there a -- was this a -- do</p> <p>19 you have a single-officer car?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. But there were other officers on</p> <p>22 duty?</p> <p>23 A. Yes.</p> <p>24 Q. And do you recall as you sit here today</p>

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<p style="text-align: right;">Page 17</p> <p>1 all the officers that responded to this call?</p> <p>2 A. There were other officers that arrived on</p> <p>3 the scene. I don't remember who was there exactly.</p> <p>4 Q. The ones that are in some of the reports</p> <p>5 I've seen are Nikole Spatafora --</p> <p>6 A. Okay.</p> <p>7 Q. Do you recollect her being on this call?</p> <p>8 A. She could have. I don't recall who</p> <p>9 exactly was.</p> <p>10 Q. What about Gene Cacciatore?</p> <p>11 MR. CASPER: Object. Asked and answered.</p> <p>12 BY MR. BERSANI:</p> <p>13 Q. If you remember.</p> <p>14 Do you remember him being on this call?</p> <p>15 A. Yes, him, I do.</p> <p>16 Q. Okay. Do you remember anybody else that</p> <p>17 responded to this call?</p> <p>18 A. No, I don't remember who else was there.</p> <p>19 I remember Gene, though.</p> <p>20 Q. Do you recall if this came across as a</p> <p>21 911 call?</p> <p>22 A. I don't recall if it came across 911, but</p> <p>23 I -- I know I was sent there.</p> <p>24 Q. Okay. It looks like in your report, if</p>	<p style="text-align: right;">Page 19</p> <p>1 lives on?</p> <p>2 Q. Yeah.</p> <p>3 A. I believe it's on Norwood.</p> <p>4 Q. Norwood?</p> <p>5 A. Is it Norwood? I'm not -- I'm not sure</p> <p>6 what --</p> <p>7 Q. So as you sit here today, you recall</p> <p>8 him -- he was in front of his house or in his</p> <p>9 driveway when he flagged you down?</p> <p>10 A. I don't -- I don't recall if it was in</p> <p>11 front of the house or the driveway. I -- I don't.</p> <p>12 I was just reading over it.</p> <p>13 Q. Okay. Let me ask you this.</p> <p>14 According to your report, you write in</p> <p>15 your -- this is your report, correct?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. This is your narrative. You</p> <p>18 authored this Exhibit No. 1?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. According to your report, it says</p> <p>21 upon arrival in the area, r/o -- which is reporting</p> <p>22 officer -- that's you, correct?</p> <p>23 A. Yes.</p> <p>24 Q. (Continuing) -- was flagged down by the</p>
<p style="text-align: right;">Page 18</p> <p>1 this helps refresh your recollection --</p> <p>2 A. Okay.</p> <p>3 Q. -- the second to the last line says</p> <p>4 Officer -- "Off-duty Police Officer Panzani made the</p> <p>5 first call via 911."</p> <p>6 Does that help refresh your recollection?</p> <p>7 A. Okay. Yes, it does.</p> <p>8 Q. Okay. And you said that it was a -- came</p> <p>9 across from the dispatcher as a shots fired call,</p> <p>10 correct?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And when you responded to the</p> <p>13 scene, you were flagged down by John Scatchell,</p> <p>14 Senior?</p> <p>15 A. Yes.</p> <p>16 Q. And where was he when he flagged you</p> <p>17 down?</p> <p>18 A. In front of his residence.</p> <p>19 Q. And his residence is on Winston Avenue --</p> <p>20 or, Winston Drive, rather?</p> <p>21 A. No. No, it wasn't. No, no, no. Strike</p> <p>22 that.</p> <p>23 Q. What street does he live on?</p> <p>24 A. I believe -- did you say what street he</p>	<p style="text-align: right;">Page 20</p> <p>1 caller, who stated they heard what appeared to be</p> <p>2 three shots, approximately three of them heard on</p> <p>3 9th and Winston.</p> <p>4 Do you see this?</p> <p>5 A. Yes.</p> <p>6 Q. So I'm trying to understand who exactly</p> <p>7 told you this, if you recall.</p> <p>8 In other words, who was the caller?</p> <p>9 A. Did I -- like I say, I remember seeing</p> <p>10 Lieutenant Scatchell there. He could have</p> <p>11 possibly -- he may have flagged me down at 9th and</p> <p>12 Winston. It's -- it was a while ago. I can't</p> <p>13 really recall too much on it. But --</p> <p>14 Q. Okay.</p> <p>15 A. -- I know he was there.</p> <p>16 Q. Well, again, your report says -- and,</p> <p>17 again, just use your memory of this.</p> <p>18 Your report says upon arrival you were</p> <p>19 flagged down by the caller. So who was the caller</p> <p>20 that flagged you down? Was that John Scatchell,</p> <p>21 Senior, or was it somebody else?</p> <p>22 A. No. It was -- it was</p> <p>23 Lieutenant Scatchell.</p> <p>24 Q. Okay. Now, he called over his -- over</p>



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<p style="text-align: right;">Page 21</p> <p>1 his radio or cell phone or what? Do you know?</p> <p>2 MR. CASPER: Object to foundation.</p> <p>3 BY MR. BERSANI:</p> <p>4 Q. If you know.</p> <p>5 A. I don't recall.</p> <p>6 Q. But he was not the 911 caller. The 911</p> <p>7 caller was Panzani, correct?</p> <p>8 MR. CASPER: Object to foundation.</p> <p>9 BY THE WITNESS:</p> <p>10 A. I don't know who it was.</p> <p>11 BY MR. BERSANI:</p> <p>12 Q. Okay. So your report goes on to say</p> <p>13 that the caller stated they heard what appeared to</p> <p>14 be gunshots, approximately three of them heard on</p> <p>15 the -- near 9th and Winston.</p> <p>16 Do you see that?</p> <p>17 A. Yes.</p> <p>18 Q. Who is "they," if you remember?</p> <p>19 A. Well, the caller would be "they."</p> <p>20 Q. So that would be John Scatchell, Senior,</p> <p>21 made that statement to you?</p> <p>22 A. I would assume, yes.</p> <p>23 Q. Okay. And when you write here the three</p> <p>24 of them heard gunshots, do you know who he was</p>	<p style="text-align: right;">Page 23</p> <p>1 that you had a conversation with both Scatchell,</p> <p>2 Junior, and Scatchell, Senior, in front of his</p> <p>3 residence in which they told you that the incident</p> <p>4 occurred in front of their house?</p> <p>5 A. Correct. Yes.</p> <p>6 Q. Okay. You said earlier that when you had</p> <p>7 this conversation with Lieutenant Scatchell, being</p> <p>8 Scatchell, Senior, that he told you that someone had</p> <p>9 discharged fireworks in the driveway.</p> <p>10 Correct?</p> <p>11 A. Yes.</p> <p>12 Q. And he used the words "fireworks,"</p> <p>13 correct?</p> <p>14 A. I don't recall.</p> <p>15 Q. You can't recall --</p> <p>16 A. He may have.</p> <p>17 Q. -- what words he used to describe what he</p> <p>18 heard?</p> <p>19 MR. CASPER: Objection. Asked and answered.</p> <p>20 BY THE WITNESS:</p> <p>21 A. No, I don't remember what it was.</p> <p>22 BY MR. BERSANI:</p> <p>23 Q. He never used the word "dynamite," did</p> <p>24 he?</p>
<p style="text-align: right;">Page 22</p> <p>1 referring to when he made that statement to you?</p> <p>2 MR. CASPER: Object to foundation.</p> <p>3 BY THE WITNESS:</p> <p>4 A. No, I don't -- I don't recall.</p> <p>5 BY MR. BERSANI:</p> <p>6 Q. Okay. The next sentence says upon</p> <p>7 further investigating the area, off-duty PO -- which</p> <p>8 is police officer, correct?</p> <p>9 A. Yes.</p> <p>10 Q. (Continuing) -- Scatchell, along with</p> <p>11 off-duty Lieutenant Scatchell, advised via net radio</p> <p>12 that the incident occurred in front of -- and then</p> <p>13 there's a space there -- being Scatchell's</p> <p>14 residence.</p> <p>15 Do you see that?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. So as you sit here today, do you</p> <p>18 recall being advised via radio by Scatchell and/or</p> <p>19 his -- I assume his son -- right? Is that right?</p> <p>20 A. Correct.</p> <p>21 Q. (Continuing) -- being advised that the</p> <p>22 incident occurred in front of their residence?</p> <p>23 A. Correct.</p> <p>24 Q. Okay. So, then, is it accurate to say</p>	<p style="text-align: right;">Page 24</p> <p>1 MR. CASPER: Objection. Asked and answered.</p> <p>2 BY THE WITNESS:</p> <p>3 A. No, I don't recall. I don't know.</p> <p>4 BY MR. BERSANI:</p> <p>5 Q. I mean, "dynamite" would be a pretty -- a</p> <p>6 pretty dramatic -- it's a pretty dramatic term.</p> <p>7 You'd agree with that?</p> <p>8 MR. CASPER: Objection. Argumentative.</p> <p>9 BY THE WITNESS:</p> <p>10 A. Yeah, I would agree to that. Sure.</p> <p>11 BY MR. BERSANI:</p> <p>12 Q. As opposed to mere fireworks.</p> <p>13 MR. CASPER: Objection. Argumentative.</p> <p>14 BY THE WITNESS:</p> <p>15 A. Right.</p> <p>16 BY MR. BERSANI:</p> <p>17 Q. So if someone used the word "dynamite,"</p> <p>18 that's something that would -- that would stick in</p> <p>19 your memory, correct?</p> <p>20 MR. CASPER: Same objection.</p> <p>21 BY THE WITNESS:</p> <p>22 A. I mean --</p> <p>23 BY MR. BERSANI:</p> <p>24 Q. Well, let me ask you this.</p>

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<p style="text-align: right;">Page 25</p> <p>1 If someone said somebody -- somebody</p> <p>2 discharged dynamite in my driveway, that would be</p> <p>3 something, as a police officer, you would put in</p> <p>4 your report, correct?</p> <p>5 MR. CASPER: Objection. Argumentative. Asked</p> <p>6 and answered.</p> <p>7 BY THE WITNESS:</p> <p>8 A. I wouldn't be able to go off of</p> <p>9 somebody's -- I wouldn't be able to just say, oh,</p> <p>10 this was a piece of dy -- this was a stick of</p> <p>11 dynamite. It would have to be something -- I</p> <p>12 would -- it would have to be investigated to see</p> <p>13 what kind of explosive it was --</p> <p>14 BY MR. BERSANI:</p> <p>15 Q. Right.</p> <p>16 A. -- you know, the amount of damage and</p> <p>17 stuff.</p> <p>18 Q. You said that you witnessed --</p> <p>19 A. I mean, fireworks are fireworks.</p> <p>20 Q. Right.</p> <p>21 And that's what you witnessed on the</p> <p>22 driveway --</p> <p>23 A. Right.</p> <p>24 Q. -- was debris --</p>	<p style="text-align: right;">Page 27</p> <p>1 Do you recall the neighbors that you</p> <p>2 spoke to?</p> <p>3 A. I don't recall them. No, I don't recall.</p> <p>4 Q. Did any of those neighbors -- based on</p> <p>5 your recollection, did any of those neighbors that</p> <p>6 you spoke to describe the noise as dynamite being</p> <p>7 discharged or three sticks of dynamite, either one,</p> <p>8 being discharged?</p> <p>9 A. No, I don't -- I don't recall that.</p> <p>10 Q. If they did, that would be something that</p> <p>11 you would put in your report, correct?</p> <p>12 MR. CASPER: Objection. Argumentative.</p> <p>13 BY MR. BERSANI:</p> <p>14 Q. Because that would be more significant</p> <p>15 than merely blowing off fireworks, correct?</p> <p>16 MR. CASPER: Objection. Argumentative.</p> <p>17 BY THE WITNESS:</p> <p>18 A. Correct.</p> <p>19 BY MR. BERSANI:</p> <p>20 Q. Is it accurate to say -- excuse me.</p> <p>21 Is it accurate to say, Officer Graziani,</p> <p>22 that you're there to investigate the call? Correct?</p> <p>23 A. Yes.</p> <p>24 Q. And part of your investigation is talking</p>
<p style="text-align: right;">Page 26</p> <p>1 A. Debris.</p> <p>2 Q. -- of fireworks, right?</p> <p>3 A. Correct.</p> <p>4 MR. CASPER: Objection. Asked and --</p> <p>5 BY MR. BERSANI:</p> <p>6 Q. Not debris of dynamite, correct?</p> <p>7 MR. CASPER: Objection. Foundation.</p> <p>8 BY THE WITNESS:</p> <p>9 A. I would say fireworks. I don't know what</p> <p>10 dynamite debris looks like.</p> <p>11 BY MR. BERSANI:</p> <p>12 Q. Okay. If John Scatchell, Senior, has</p> <p>13 said that three sticks of dynamite were blown off in</p> <p>14 his driveway, is that something that is consistent</p> <p>15 with what you observed in his driveway?</p> <p>16 MR. CASPER: Objection. Foundation.</p> <p>17 BY THE WITNESS:</p> <p>18 A. No, I wouldn't think that.</p> <p>19 BY MR. BERSANI:</p> <p>20 Q. Okay. Your report goes on to say that,</p> <p>21 "We spoke with immediate neighbors, who awoken to</p> <p>22 the noise and were standing at their front door, who</p> <p>23 stated that they heard several loud bangs, almost</p> <p>24 like gunfire, going off in front of their home."</p>	<p style="text-align: right;">Page 28</p> <p>1 to people that heard or saw what happened, correct?</p> <p>2 A. Yes.</p> <p>3 Q. And you did conduct an investigation,</p> <p>4 correct?</p> <p>5 A. Correct.</p> <p>6 Q. You spoke to John Scatchell, Junior, and</p> <p>7 Senior, correct?</p> <p>8 A. Yes.</p> <p>9 Q. You spoke to some neighbors who were out</p> <p>10 there that claim they heard the noise, correct?</p> <p>11 A. Correct.</p> <p>12 Q. You spoke to Officer Panzani, correct?</p> <p>13 A. I don't recall.</p> <p>14 Q. Okay. You looked at the driveway to see</p> <p>15 what could have made this noise, correct?</p> <p>16 A. Yes.</p> <p>17 Q. You observed debris of fireworks,</p> <p>18 correct?</p> <p>19 MR. CASPER: Objection. Misstates --</p> <p>20 BY THE WITNESS:</p> <p>21 A. Yes.</p> <p>22 MR. CASPER: -- testimony.</p> <p>23 BY MR. BERSANI:</p> <p>24 Q. During the course of your</p>



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<p style="text-align: right;">Page 29</p> <p>1 investigation -- or, strike that.</p> <p>2 Did you conduct any other investigation</p> <p>3 that you recall other than what we just spoke of?</p> <p>4 A. No.</p> <p>5 Q. During the course of your investigation,</p> <p>6 did you make any determination or finding as to who</p> <p>7 discharged the fireworks?</p> <p>8 A. No.</p> <p>9 Q. Did anyone collect any of the debris and</p> <p>10 preserve the debris that was in the driveway that</p> <p>11 you observed?</p> <p>12 A. I don't recall.</p> <p>13 Q. Do you recall if anyone took any</p> <p>14 photographs of the debris?</p> <p>15 A. I don't recall that.</p> <p>16 Q. Okay. Certainly you and others on shift</p> <p>17 had the capability of collecting the debris and</p> <p>18 taking photographs.</p> <p>19 Correct?</p> <p>20 A. Correct.</p> <p>21 Q. Isn't Nikole Spatafora an evidence</p> <p>22 technician?</p> <p>23 A. Yes.</p> <p>24 Q. She was at the time, correct?</p>	<p style="text-align: right;">Page 31</p> <p>1 And it's not.</p> <p>2 A. It's not.</p> <p>3 Q. Likely, then, it didn't happen.</p> <p>4 MR. CASPER: Objection. Argumentative.</p> <p>5 BY THE WITNESS:</p> <p>6 A. I'm not saying it didn't happen.</p> <p>7 Whatever is in my report would be -- if I collected</p> <p>8 that, then I would list it in my report.</p> <p>9 BY MR. BERSANI:</p> <p>10 Q. Okay.</p> <p>11 A. The evidence tech has a different report.</p> <p>12 Q. Right.</p> <p>13 My question was a little different.</p> <p>14 Had Lieutenant Scatchell directed you or</p> <p>15 any other responding officer --</p> <p>16 A. Okay.</p> <p>17 Q. -- to collect the debris or take</p> <p>18 photographs, that would be something that you would</p> <p>19 put in your report, correct?</p> <p>20 A. Correct.</p> <p>21 Q. That's a significant fact in your</p> <p>22 investigation, correct?</p> <p>23 A. Correct.</p> <p>24 MR. CASPER: Objection. Form.</p>
<p style="text-align: right;">Page 30</p> <p>1 A. I believe so. I'm not sure.</p> <p>2 Q. Do you know whether she collected any of</p> <p>3 the debris or took any photographs?</p> <p>4 A. I don't recall if she did or not.</p> <p>5 Q. At any point in time did</p> <p>6 Lieutenant Scatchell -- or, strike that.</p> <p>7 Lieutenant Scatchell, being a lieutenant</p> <p>8 in your chain of command, was your supervisor,</p> <p>9 correct?</p> <p>10 A. Yes.</p> <p>11 Q. At any point in time did</p> <p>12 Lieutenant Scatchell direct you or any other officer</p> <p>13 who responded to the incident to collect the debris</p> <p>14 that you observed in the driveway or to take any</p> <p>15 photographs?</p> <p>16 A. I don't recall.</p> <p>17 Q. If he did, that would be something that</p> <p>18 would be significant enough to put in your report,</p> <p>19 correct?</p> <p>20 MR. CASPER: Objection. Argumentative.</p> <p>21 BY THE WITNESS:</p> <p>22 A. It would be in my report, correct.</p> <p>23 BY MR. BERSANI:</p> <p>24 Q. Right.</p>	<p style="text-align: right;">Page 32</p> <p>1 BY MR. BERSANI:</p> <p>2 Q. And he never did that, did he?</p> <p>3 A. I don't recall. It wasn't --</p> <p>4 Q. Do you recall whether he gave any orders</p> <p>5 at all to anybody who responded?</p> <p>6 A. It's very vague. I don't recall, like --</p> <p>7 Q. Do you recall him directing you or the</p> <p>8 other officers who responded to go speak with some</p> <p>9 off-duty officers, Chiappetta, Natale, Nocita, and</p> <p>10 Espinosa, who were at another house --</p> <p>11 A. I recall --</p> <p>12 Q. -- a block over?</p> <p>13 A. -- that, yes.</p> <p>14 Q. Do you recall Lieutenant Scatchell,</p> <p>15 Senior, directing you or the other responding</p> <p>16 officers to go speak to them and ask them whether</p> <p>17 they heard anything?</p> <p>18 A. Yes.</p> <p>19 Q. And so Lieutenant Scatchell, Senior, did</p> <p>20 give an order that you recall.</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And you guys followed that order,</p> <p>23 correct?</p> <p>24 A. Yes.</p>

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<p style="text-align: right;">Page 33</p> <p>1 Q. Did you go over there and speak to those  2 officers?  3 A. No, I did not.  4 Q. Okay. Do you recall who did that?  5 A. It was Cacciatore at the time --  6 Q. Okay. And --  7 A. -- I believe.  8 Q. -- so you weren't present, so you don't  9 know what was said between Cacciatore and any of  10 those officers?  11 A. No.  12 Q. Okay. Are you aware of a verbal  13 altercation between Cacciatore and Chiappetta that  14 evening?  15 A. Yes.  16 Q. You're aware of that now.  17 A. Through talk.  18 Q. Okay. It's not something that you  19 personally heard or observed.  20 A. Right.  21 Q. Okay. And what are you aware of?  22 A. Cacciatore went to question, and from  23 what I understand, he was given a hard time, I don't  24 know by whom, but I vaguely remember that.</p>	<p style="text-align: right;">Page 35</p> <p>1 that.  2 Q. If Steve Rogowski came to the conclusion  3 that there were no known witnesses to the incident  4 and closed the investigation, that would be  5 consistent with what you found when you investigated  6 the incident, correct?  7 MR. CASPER: Objection. Foundation.  8 BY THE WITNESS:  9 A. Correct.  10 MR. CASPER: Argumentative.  11 BY MR. BERSANI:  12 Q. Are you aware that Steve Rogowski  13 investigated the verbal -- a verbal altercation  14 between Cacciatore and Sam Chiappetta?  15 A. I'm sorry. Can you repeat?  16 Q. Sure.  17 Are you aware that Steve Rogowski  18 investigated the verbal altercation between  19 Cacciatore and Sam Chiappetta?  20 A. I don't recall.  21 Q. Okay. You don't recall.  22 Would anything refresh your recollection?  23 A. Possibly.  24 Q. Okay. Can you think of something right</p>
<p style="text-align: right;">Page 34</p> <p>1 Q. All right. And do you recall any  2 specific words that were exchanged between  3 Cacciatore and this -- and this other person?  4 A. No. No.  5 Q. Now, obviously you know Sam Pitassi,  6 Mike Castellan, and Steve Rogowski.  7 Correct?  8 A. Yes.  9 Q. They weren't present at all for this  10 incident, correct?  11 A. Correct.  12 Q. They weren't present for any part of your  13 investigation, correct?  14 A. Correct.  15 Q. Okay. Have you had any conversations  16 since that date with any of them about this  17 incident?  18 A. No.  19 Q. All right. Are you aware that  20 Steve Rogowski investigated the fireworks incident,  21 at, you know, a later date?  22 A. I don't recall that. I don't know.  23 Q. Okay.  24 A. He very well may have. I don't remember</p>	<p style="text-align: right;">Page 36</p> <p>1 now?  2 A. No.  3 Q. Do you recall if you were contacted and  4 interviewed by Steve Rogowski about the verbal  5 altercation between Cacciatore and Chiappetta?  6 A. I don't believe so.  7 Q. Do you have any reason to dispute that  8 Steve Rogowski conducted a full and fair  9 investigation of both the fireworks incident and the  10 altercation between Cacciatore and Chiappetta?  11 MR. CASPER: Object to form. Foundation.  12 BY THE WITNESS:  13 A. Can you repeat that?  14 BY MR. BERSANI:  15 Q. Sure.  16 Do you have any reason to dispute that  17 Steve Rogowski conducted a full and fair  18 investigation of both of those incidents, the  19 fireworks incident and then the altercation between  20 Cacciatore and Chiappetta?  21 MR. CASPER: Same objection.  22 BY THE WITNESS:  23 A. I don't believe so.  24 BY MR. BERSANI:</p>

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<p style="text-align: right;">Page 37</p> <p>1 Q. You believe that -- to your knowledge,  2 you believe he conducted a full and fair  3 investigation of both incidents?  4 A. I would assume so, yes.  5 Q. Right.  6 And you, yourself, conducted the best you  7 could that evening a full and fair investigation --  8 A. Yeah.  9 Q. -- correct?  10 A. Yes.  11 MR. BERSANI: Okay. I have nothing further.  12 Thanks.  13 EXAMINATION  14 BY MR. ZIMMER:  15 Q. You know Mayor Serpico, correct?  16 A. Yes.  17 Q. Was Mayor Serpico present during your  18 investigation of the firework incident?  19 A. No.  20 Q. Did Mayor Serpico, to your knowledge,  21 have any involvement in the investigation of the  22 firework incident?  23 A. I would have to say no.  24 Q. Okay. Did you ever speak to him about</p>	<p style="text-align: right;">Page 39</p> <p>1 A. I would listen to him because of his  2 authority.  3 Q. And if what he said made sense, you would  4 do it.  5 A. Correct.  6 MR. FOWLER: That's all.  7 EXAMINATION  8 BY MR. CASPER:  9 Q. All right. Officer Graziani, my name is  10 Cass Casper. I'm one of the attorneys representing  11 the Plaintiff in this matter. I have a few  12 follow-up questions for you.  13 Safety and security of the Village of  14 Melrose Park is within part of your responsibilities  15 as a patrol officer, would you agree?  16 A. Yes.  17 Q. All right. And threats on citizens is  18 a matter of serious concern to the Village of  19 Melrose Park Police Department, would you agree?  20 A. Yes.  21 Q. All right. And as a uniformed police  22 officer of the Village of Melrose Park, a threat on  23 an officer of the Village of Melrose Park is also  24 something that is a serious concern of yours, is</p>
<p style="text-align: right;">Page 38</p> <p>1 your investigation?  2 A. No.  3 MR. ZIMMER: Nothing further.  4 EXAMINATION  5 BY MR. FOWLER:  6 Q. During the course of your, I'm going to  7 call it, on-scene investigation, who was the senior  8 on-duty officer from Melrose Park who was there?  9 A. I'm not sure. The shift roster was  10 where -- I would have to say, if anybody,  11 Cacciatore.  12 Q. Was Cacciatore present when you first got  13 there or did he come in later?  14 A. He was on scene.  15 Q. Aside from on duty or not, who did you  16 believe was in charge of the scene that evening?  17 A. The acting shift commander.  18 Q. And who was that?  19 A. I don't know exactly.  20 Q. Did Lieutenant Scatchell have authority  21 to direct the officers on duty on that scene?  22 MR. CASPER: Object to form. Legal conclusion.  23 BY MR. FOWLER:  24 Q. You can answer.</p>	<p style="text-align: right;">Page 40</p> <p>1 that correct?  2 A. Yes.  3 Q. All right. And in the last five years,  4 how many times have you responded to a call of a  5 potential threat on a Melrose Park police officer?  6 A. I don't recall.  7 Q. Okay. Now, you did respond to the  8 12/16/2016 call of shots fired on 9th Avenue and  9 Winston Drive, correct?  10 A. Yes.  11 Q. We've been talking about this.  12 All right. Now, you wrote in your  13 report, Graziani 1, quote, "Off-Duty PO Panzani made  14 the first call via 911 advising dispatch of the  15 occurrence."  16 You wrote that, correct?  17 A. Yes.  18 Q. Now, you learned about that call from  19 dispatch, correct?  20 A. Yes.  21 Q. You didn't actually talk to Panzani  22 yourself at any time on 12/16, correct?  23 A. I don't recall.  24 Q. And do you recall what the exact</p>

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<p style="text-align: right;">Page 41</p> <p>1 communication you had with dispatch was about this 2 call? 3 A. I don't recall. 4 Q. All right. But did you hear the words 5 "shots fired" prior to your arriving at 9th and 6 Winston at any point? 7 A. Yes. 8 Q. All right. So is it safe to assume that 9 the dispatch that you received was -- contained the 10 words "shots fired" in it? 11 Is that correct? 12 A. Correct. 13 Q. All right. You didn't hear the term 14 "shots fired" from anybody else prior to your 15 arriving on scene, correct? 16 A. Yes. 17 Q. Yes, you didn't hear -- 18 A. No. 19 Q. -- that from anybody? 20 A. Yes, I did not hear that from anyone 21 else. 22 Q. All right. So how many -- are shots 23 fired calls in Melrose Park -- would you say they're 24 common, uncommon, or something else?</p>	<p style="text-align: right;">Page 43</p> <p>1 Q. Okay. So I think you testified you did 2 see Gene Cacciatore at the scene, but you can't 3 recall any other officers who might have been there. 4 Correct? 5 A. Right. 6 Q. Gene Cacciatore, did he arrive before or 7 after you arrived on scene? 8 A. I -- I don't recall. 9 Q. Did you interact with Gene Cacciatore on 10 scene at any -- at any time? 11 A. I don't recall. 12 Q. Did you have any conversation with 13 Gene Cacciatore on scene at any time? 14 A. I don't recall that. 15 Q. Did you have any conversation with any 16 other officers on scene at any time -- I mean, any 17 other on-duty officers on scene at any time? 18 A. I may have. I'm not sure. 19 Q. All right. And you write in your 20 Graziani Exhibit 1 that the neighbors -- wait a 21 second -- were standing at their front door. Do you 22 see that? 23 That's in the second paragraph, second 24 sentence.</p>
<p style="text-align: right;">Page 42</p> <p>1 A. Common. 2 Q. Okay. When you hear a shots fired call, 3 is that something that requires an immediate 4 response by you, as a patrol officer? 5 A. Yes. 6 Q. Does that require all available police 7 officers to respond? 8 A. Depending how many calls come in about 9 the same area. 10 Q. All right. So it depends on officer 11 availability to respond to the call? 12 A. That too, yeah. 13 Q. Okay. And when you arrived on scene, you 14 observed -- if I understood your testimony, 15 Lieutenant Scatchell was already in the driveway, 16 correct? 17 A. Yes. 18 Q. And his son, Officer Scatchell, was also 19 in the driveway, is that correct? 20 A. I don't recall. 21 Q. Now, did you observe -- again, as you're 22 arriving on scene, did you observe any other police 23 units already on the scene? 24 A. I don't recall that.</p>	<p style="text-align: right;">Page 44</p> <p>1 A. Yes. 2 Q. Were they already outside when you 3 arrived on scene? 4 A. I don't recall. 5 Q. Did you have to go up and knock on their 6 door to get them to come out? 7 A. I don't recall. 8 Q. Where did you speak with them? 9 A. I, myself, don't recall speaking with 10 neighbors. It could have been other officers that 11 were on scene that spoke with neighbors. And I put 12 in there, in my report, "we spoke," meaning we, as a 13 shift. 14 Q. So, in other words, you can't 15 specifically recall if you spoke to any neighbors at 16 all. 17 A. I don't recall that night very much, no. 18 Q. Okay. And you were never asked by 19 Deputy Chief Castellan to do any follow-up 20 investigation of this incident, is that correct? 21 A. Correct. 22 Q. And you were never asked by Sam Pitassi 23 to do any follow-up to this investigation, is that 24 correct?</p>

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**45-48**

<p style="text-align: right;">Page 45</p> <p>1 A. Correct.</p> <p>2 Q. And you were never asked to do -- you</p> <p>3 were never asked by Steven Rogowski to do any</p> <p>4 follow-up to this incident, correct?</p> <p>5 A. Correct.</p> <p>6 Q. The same answer with respect to the</p> <p>7 Mayor, correct?</p> <p>8 A. Correct.</p> <p>9 Q. So after you arrived on scene and left</p> <p>10 the scene, that was the end of your involvement with</p> <p>11 this incident, is that -- is that true?</p> <p>12 A. Yes.</p> <p>13 Q. Now, you must have written this report,</p> <p>14 Graziani 1, at some point after the incident.</p> <p>15 Is that correct?</p> <p>16 A. Yes.</p> <p>17 Q. Now, there's a date at the top that says,</p> <p>18 "Entered: 12/16/2016 2:16."</p> <p>19 Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. Does that mean -- does that mean that</p> <p>22 this report was entered around 2:16 a.m. on</p> <p>23 12/16/2016?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 47</p> <p>1 A. None that I can recall.</p> <p>2 Q. Did you know that this was</p> <p>3 John Scatchell, Senior's residence at the time you</p> <p>4 responded on 12/16/2016?</p> <p>5 A. I was familiar with the address, yes.</p> <p>6 Q. So you knew it was John Scatchell,</p> <p>7 Senior's address, correct?</p> <p>8 A. Yes.</p> <p>9 Q. All right. And were you ever interviewed</p> <p>10 by Castellan, Rogowski, or Pitassi regarding this</p> <p>11 incident?</p> <p>12 A. I don't recall.</p> <p>13 Q. Were you ever interviewed by anyone after</p> <p>14 you left the scene about this incident?</p> <p>15 A. I don't believe so.</p> <p>16 Q. So let me get this clear.</p> <p>17 You didn't collect any physical evidence</p> <p>18 at the scene, right?</p> <p>19 A. Right.</p> <p>20 Q. You don't know if any other officers</p> <p>21 collected any physical evidence at the scene, right?</p> <p>22 A. Correct.</p> <p>23 Q. You didn't yourself interview any</p> <p>24 neighbors at the scene, correct?</p>
<p style="text-align: right;">Page 46</p> <p>1 Q. All right. So you wrote this report at</p> <p>2 that time, is that true?</p> <p>3 A. Yes.</p> <p>4 Q. And you wrote this report, correct?</p> <p>5 A. Correct.</p> <p>6 Q. And this is a true and accurate copy of</p> <p>7 the report that you wrote?</p> <p>8 A. Yes.</p> <p>9 Q. And what did you do with this report</p> <p>10 after writing it?</p> <p>11 A. Turned it in to my supervisor.</p> <p>12 Q. Which would have been who at this time?</p> <p>13 A. I don't recall who it was.</p> <p>14 Q. Did you ever complete any other written</p> <p>15 reports relative to this incident other than</p> <p>16 Graziani 1?</p> <p>17 A. I don't recall.</p> <p>18 Q. How many times have you responded to</p> <p>19 Lieutenant Scatchell's residence for calls relating</p> <p>20 to shots fired?</p> <p>21 A. None.</p> <p>22 Q. How many times have you responded to</p> <p>23 another Melrose Park police officer's residence for</p> <p>24 a shots fired call?</p>	<p style="text-align: right;">Page 48</p> <p>1 MR. BERSANI: Objection. Misstates his</p> <p>2 testimony.</p> <p>3 BY THE WITNESS:</p> <p>4 A. I don't recall.</p> <p>5 BY MR. CASPER:</p> <p>6 Q. And --</p> <p>7 A. I may have. I don't recall.</p> <p>8 Q. Do you recall interviewing</p> <p>9 John Scatchell, Junior, at the scene?</p> <p>10 A. I don't recall.</p> <p>11 Q. Do you recall interviewing</p> <p>12 Mrs. Scatchell, Laura Scatchell, at the scene?</p> <p>13 A. I don't recall.</p> <p>14 Q. Do you know if she was home during this</p> <p>15 incident?</p> <p>16 A. Not sure.</p> <p>17 Q. Are there any video cameras on the street</p> <p>18 around 9th Avenue and Winston Drive that are</p> <p>19 maintained by Melrose Park?</p> <p>20 A. I don't believe so.</p> <p>21 Q. Did you investigate any security camera</p> <p>22 footage from private residences or in the area?</p> <p>23 A. No, I did not.</p> <p>24 Q. Did you ask Lieutenant Scatchell if he</p>



**LIDO A. GRAZIANI**  
**SCATCHELL vs VILLAGE OF MELROSE PARK**

**February 05, 2020**  
**49-52**

<p style="text-align: right;">Page 49</p> <p>1 had a nest camera or any kind of video camera on his  2 residence?  3 A. I don't recall that.  4 Q. And so you wrote in your report that you  5 responded at approximately 1:11 a.m., correct?  6 A. Yes.  7 Q. And do you know how long you were at the  8 scene?  9 A. Not sure.  10 Q. Was it more than an hour or less than an  11 hour?  12 A. I would say less than an hour for sure.  13 Q. Less than 30 minutes?  14 A. Possibly.  15 Q. Less than ten minutes?  16 A. I don't re -- I don't know if it was less  17 than that.  18 Q. Do you recall anything else that you did  19 at the scene that you haven't already been asked  20 about today?  21 A. No, I don't.  22 Q. All right. And did you ever discuss with  23 Gene Cacciatore what he talked about with those  24 other officers, Espinosa and the other ones we</p>	<p style="text-align: right;">Page 51</p> <p>1 A. No.  2 Q. All right. And do you know how many  3 overtime hours Peter Caira -- strike that question.  4 Strike the question. I'll ask it again.  5 Okay. Just a second here.  6 You stated that Nikole Spatafora, I  7 think, might have completed an evidence -- or, some  8 other kind of report about the Scatchell incident.  9 I think that was your testimony. Was it?  10 A. Yes.  11 Q. And do you know what that report would be  12 called?  13 A. A supplement report.  14 Q. A supplement report. That's the official  15 title on that report?  16 A. Yes.  17 Q. Have you ever seen that report?  18 A. Yes.  19 Q. And were there any other officers who  20 completed reports that you're aware of about the  21 bomb incident?  22 MR. BERSANI: Object to the form.  23 Mischaracterizes the testimony. He never said  24 "bomb."</p>
<p style="text-align: right;">Page 50</p> <p>1 listed, Chiappetta and the other one?  2 A. No, I didn't.  3 Q. Okay. And did you incur any overtime  4 responding to this incident or writing your report  5 about it?  6 A. No.  7 Q. All right. Do you know if any of your --  8 the other responding officers incurred any overtime  9 relative to this incident?  10 A. I'm unaware.  11 Q. All right. Do you know an officer named  12 Peter Caira?  13 A. I do.  14 Q. All right. And do you know what his rank  15 is?  16 A. No, I don't.  17 Q. Okay. Do you know John -- you do know  18 John Scatchell, Junior, correct?  19 A. Yes.  20 Q. And do you know that he was terminated  21 from the Village of Melrose Park?  22 A. From what I heard, yes.  23 Q. Do you know anything about the  24 allegations?</p>	<p style="text-align: right;">Page 52</p> <p>1 BY THE WITNESS:  2 A. I don't.  3 BY MR. CASPER:  4 Q. Okay. Did you, yourself, ever ascertain  5 what kinds of explosives were used in this incident?  6 MR. BERSANI: Object to the form, "explosives."  7 He never characterized it that way.  8 BY THE WITNESS:  9 A. No, I...  10 BY MR. CASPER:  11 Q. Okay. And did you, yourself, ever  12 ascertain -- now -- strike that question.  13 Have you ever set off a firecracker in  14 your life?  15 A. Yes.  16 Q. Okay. And did you see any, like, spent  17 firecracker casings at the scene?  18 A. At the -- at the scene of --  19 Lieutenant Scatchell's scene?  20 Q. Yeah.  21 A. Yes.  22 Q. Okay. And how many of those did you see?  23 A. I don't recall. A couple --  24 Q. How big were there?</p>



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**SCATCHELL vs VILLAGE OF MELROSE PARK**

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53-56

<p style="text-align: right;">Page 53</p> <p>1 A. -- pieces, maybe.</p> <p>2 I don't know exactly.</p> <p>3 Q. Okay. Did you see any blackening on the</p> <p>4 asphalt around where this explosion occurred?</p> <p>5 A. I don't recall.</p> <p>6 Q. All right. So do you ever recall being</p> <p>7 woken up by a firecracker being set off in your</p> <p>8 vicinity?</p> <p>9 A. I've never personally had an issue.</p> <p>10 Q. All right. Now, it would have to be --</p> <p>11 you'd agree with me it'd have to be a pretty big</p> <p>12 firecracker for it to wake up two people in</p> <p>13 Scatchell's residence and the neighbors, wouldn't</p> <p>14 you -- and to result in a shots fired call, wouldn't</p> <p>15 it?</p> <p>16 MR. BERSANI: Object to form. Vague.</p> <p>17 BY THE WITNESS:</p> <p>18 A. Well, given the time of night, yeah,</p> <p>19 that's very -- it could be loud.</p> <p>20 BY MR. CASPER:</p> <p>21 Q. All right.</p> <p>22 A. Anything minor could be loud.</p> <p>23 Q. Okay.</p> <p>24 A. It's --</p>	<p style="text-align: right;">Page 55</p> <p>1 Q. Did you ever visit -- strike that.</p> <p>2 After that, did his office change?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And what office was he moved to</p> <p>5 when he became station supervisor?</p> <p>6 A. It was on the second floor, down the</p> <p>7 hall.</p> <p>8 Q. And have you ever heard that office</p> <p>9 referred to as anything?</p> <p>10 A. Not that I recall.</p> <p>11 Q. Have you ever heard that office referred</p> <p>12 to as the hole?</p> <p>13 A. I don't recall that.</p> <p>14 Q. Did you ever visit John Scatchell,</p> <p>15 Senior, in that office?</p> <p>16 A. I did.</p> <p>17 Q. Okay. At any point did you stop visiting</p> <p>18 him in that office before his retirement?</p> <p>19 A. Well, we're really not allowed to be in</p> <p>20 the station unless it's for report reasons and</p> <p>21 whatnot, so I...</p> <p>22 Q. Do you ever recall any verbal orders</p> <p>23 being given by anyone not to visit John Scatchell,</p> <p>24 Senior, in his office?</p>
<p style="text-align: right;">Page 54</p> <p>1 Q. But --</p> <p>2 MR. BERSANI: Let him finish.</p> <p>3 BY THE WITNESS:</p> <p>4 A. I don't know exactly what was discharged</p> <p>5 that night. I didn't collect any evidence.</p> <p>6 BY MR. CASPER:</p> <p>7 Q. Do people set off fire -- fireworks</p> <p>8 during the 4th of July or on New Year's Eve in</p> <p>9 Melrose Park?</p> <p>10 A. Yes.</p> <p>11 Q. Did you work last New Year's Eve?</p> <p>12 A. I don't recall. I -- I don't think I</p> <p>13 did. I don't -- I don't remember.</p> <p>14 Q. Did you work the last 4th of July?</p> <p>15 A. I don't recall that.</p> <p>16 Q. All right. Do you recall how many shots</p> <p>17 fired calls you got on -- the last time you worked</p> <p>18 during the 4th of July or New Year's Eve?</p> <p>19 A. I'm not sure.</p> <p>20 Q. All right. Now, you testified that --</p> <p>21 early on in your examination that at some point you</p> <p>22 were aware John Scatchell, Senior, was transferred</p> <p>23 to station supervisor, correct?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 56</p> <p>1 A. No.</p> <p>2 Q. And you at some -- at some point</p> <p>3 Lieutenant Kyll -- or, strike that.</p> <p>4 At some point Sergeant Kyll Lavalais was</p> <p>5 your supervisor, correct?</p> <p>6 A. Yes.</p> <p>7 Q. Do you know what time period that was?</p> <p>8 A. It could have been a couple of -- a</p> <p>9 couple years back. I'm not sure of the exact dates.</p> <p>10 It's -- I'm not good with dates and...</p> <p>11 Q. And at some point you had a preventable</p> <p>12 acc -- a preventable accident, where you ran a squad</p> <p>13 car accidentally into some kind of concrete near the</p> <p>14 station, is that true?</p> <p>15 A. Yes.</p> <p>16 Q. All right. And you reported that to</p> <p>17 Sergeant Lavalais, is that correct?</p> <p>18 A. Yes.</p> <p>19 Q. And at that time Sergeant Lavalais was</p> <p>20 the only black sergeant in Melrose Park</p> <p>21 Police Department, is that correct?</p> <p>22 A. Yes.</p> <p>23 Q. In fact, he was the only black officer in</p> <p>24 Melrose Park Police Department during the time of</p>

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**February 05, 2020**  
**57-60**

<p style="text-align: right;">Page 57</p> <p>1 that accident, is that correct?</p> <p>2 A. Yes.</p> <p>3 Q. And Sergeant Lavalais, he determined that</p> <p>4 the accident was nonpreventable that you were in, is</p> <p>5 that correct?</p> <p>6 A. Yes.</p> <p>7 Q. So he defended you from discipline</p> <p>8 because he determined it to be nonpreventable, is</p> <p>9 that correct?</p> <p>10 A. Yes.</p> <p>11 Q. All right. And then after that, you were</p> <p>12 actually issued discipline relative to that</p> <p>13 accident, is that correct?</p> <p>14 A. Yes.</p> <p>15 Q. And that was issued to you by whom?</p> <p>16 A. Deputy Chief Castellan at the time.</p> <p>17 Q. And do you remember the year -- the month</p> <p>18 and year you were issued that discipline?</p> <p>19 A. I don't.</p> <p>20 Q. And --</p> <p>21 A. It may have been summertime.</p> <p>22 Q. Do you know what year? Was it in the</p> <p>23 last three years?</p> <p>24 A. I would say in the last three, yeah.</p>	<p style="text-align: right;">Page 59</p> <p>1 work about nonwork-related matters?</p> <p>2 A. No.</p> <p>3 Q. Did you ever attend any union meetings</p> <p>4 with Sergeant Lavalais?</p> <p>5 A. No.</p> <p>6 Q. Did you ever attend any union meetings at</p> <p>7 all?</p> <p>8 A. Not very many.</p> <p>9 Q. All right. Were you present during any</p> <p>10 conversations with Lavalais and Castellan regarding</p> <p>11 that accident?</p> <p>12 A. No.</p> <p>13 Q. Did John Scatchell, Sen -- sorry to go</p> <p>14 back to this.</p> <p>15 Did John Scatchell, Senior, appear to you</p> <p>16 to be visibly upset in any way when you arrived on</p> <p>17 scene on 12/16/2016?</p> <p>18 A. Yes.</p> <p>19 Q. And can you describe how he appeared to</p> <p>20 you?</p> <p>21 A. Upset, as if he was woken up out of a</p> <p>22 sleep.</p> <p>23 Q. Did he -- so he seemed -- did he seem</p> <p>24 distressed to you?</p>
<p style="text-align: right;">Page 58</p> <p>1 Q. And what level of discipline did</p> <p>2 Mr. Cas -- did Deputy Chief Castellan give you?</p> <p>3 A. I believe two personal days taken.</p> <p>4 Q. And did you file a union grievance over</p> <p>5 that?</p> <p>6 A. No.</p> <p>7 Q. Do you know why Lavalais concluded the</p> <p>8 accident was nonpreventable and then Castellan</p> <p>9 concluded it was preventable?</p> <p>10 MR. BERSANI: Objection. Lack of foundation.</p> <p>11 BY MR. CASPER:</p> <p>12 Q. If you know.</p> <p>13 A. I -- I don't know.</p> <p>14 Q. What did you consider the accident to be,</p> <p>15 preventable or nonpreventable?</p> <p>16 A. Tough to say.</p> <p>17 Q. And were you friendly with</p> <p>18 Sergeant Lavalais, by which I mean were you friends</p> <p>19 with him?</p> <p>20 A. I try to get along with everyone.</p> <p>21 Q. Did you ever hang out with</p> <p>22 Sergeant Lavalais outside of work?</p> <p>23 A. No.</p> <p>24 Q. Did you ever text with him outside of</p>	<p style="text-align: right;">Page 60</p> <p>1 MR. BERSANI: Object to the form. Vague.</p> <p>2 BY MR. CASPER:</p> <p>3 Q. You can answer.</p> <p>4 A. Somewhat.</p> <p>5 Q. John Scatchell, Junior, did he appear</p> <p>6 distressed to you?</p> <p>7 A. I don't recall.</p> <p>8 Q. And did you ever learn through any source</p> <p>9 who was responsible for setting the dynamite off at</p> <p>10 John Scatchell, Senior's home?</p> <p>11 MR. BERSANI: Object to the form.</p> <p>12 Mischaracterizes his testimony. He never said</p> <p>13 "dynamite."</p> <p>14 BY THE WITNESS:</p> <p>15 A. I'm sorry. Can you repeat that?</p> <p>16 MR. CASPER: Can you read back the question?</p> <p>17 (WHEREUPON, the record was read</p> <p>18 by the reporter as requested.)</p> <p>19 BY THE WITNESS:</p> <p>20 A. No, I was not.</p> <p>21 MR. CASPER: Anything else?</p> <p>22 Off the record.</p> <p>23 (WHEREUPON, discussion was had off</p> <p>24 the record.)</p>

**LIDO A. GRAZIANI**  
**SCATCHELL vs VILLAGE OF MELROSE PARK**

**February 05, 2020**  
**61-64**

<p style="text-align: right;">Page 61</p> <p>1 MR. CASPER: All right. Back on the record.</p> <p>2 Okay. I have no further questions for</p> <p>3 you, Officer.</p> <p>4 Thank you.</p> <p>5 THE WITNESS: Okay.</p> <p>6 MR. BERSANI: You guys have anything?</p> <p>7 I just have a few questions for you.</p> <p>8 FURTHER EXAMINATION</p> <p>9 BY MR. BERSANI:</p> <p>10 Q. You said that John Scatchell, Senior, was</p> <p>11 visibly upset and somewhat distressed when you</p> <p>12 arrived on scene on December 16, 2016, correct?</p> <p>13 A. Yes.</p> <p>14 Q. But at no point did he direct, order you,</p> <p>15 or even suggest that you collect and preserve the</p> <p>16 debris of fireworks on his driveway, did he?</p> <p>17 A. Not me personally, no.</p> <p>18 Q. At no point did he direct you or any</p> <p>19 other officers to collect that evidence, to your</p> <p>20 recollection.</p> <p>21 A. I don't recall.</p> <p>22 Q. And at no point did he ever direct you or</p> <p>23 any other officer to take photographs, to your</p> <p>24 recollection, correct?</p>	<p style="text-align: right;">Page 63</p> <p>1 Q. But he never did that, did he?</p> <p>2 A. I don't believe -- I don't believe he</p> <p>3 did, or else I would -- I would have noted it in my</p> <p>4 report, that there was video.</p> <p>5 Q. Right.</p> <p>6 But you didn't.</p> <p>7 A. Right.</p> <p>8 Q. And you'd agree that -- or, strike that.</p> <p>9 You said that you observed a couple</p> <p>10 pieces of debris in the driveway, correct?</p> <p>11 A. Correct.</p> <p>12 Q. "A couple" meaning less than three?</p> <p>13 A. Yeah.</p> <p>14 Q. Okay. You would agree that fireworks</p> <p>15 being discharged at 1:00 a.m. could sound like shots</p> <p>16 fired, correct?</p> <p>17 A. Yes.</p> <p>18 MR. CASPER: Form.</p> <p>19 BY MR. BERSANI:</p> <p>20 Q. And as a result of your investigation,</p> <p>21 you determined that fireworks was discharged in his</p> <p>22 driveway, correct?</p> <p>23 A. Yes.</p> <p>24 Q. Not dynamite, correct, or a bomb?</p>
<p style="text-align: right;">Page 62</p> <p>1 A. Correct.</p> <p>2 Q. At no point did he tell you that he had a</p> <p>3 nest camera or a private security camera that</p> <p>4 pointed outward to the front of his house, did he?</p> <p>5 A. I would have listed it in my report.</p> <p>6 Q. So the answer is he never told you that.</p> <p>7 A. I don't recall if he did, if he didn't.</p> <p>8 Q. If he told you that, you'd want to see</p> <p>9 that, to see if it showed who set up the fireworks</p> <p>10 in the driveway, right?</p> <p>11 A. I would assume.</p> <p>12 Q. That would be important information as</p> <p>13 part of your investigation, correct?</p> <p>14 A. Right.</p> <p>15 Q. And if he was so upset and distressed</p> <p>16 about what happened, you'd think that he would tell</p> <p>17 you, "Hey, I've got a camera that may point into</p> <p>18 that driveway and tell us who did this," right?</p> <p>19 MR. CASPER: Objection. It calls for</p> <p>20 speculation.</p> <p>21 You can answer.</p> <p>22 BY MR. BERSANI:</p> <p>23 Q. You would think, right?</p> <p>24 A. Correct.</p>	<p style="text-align: right;">Page 64</p> <p>1 A. That would be pretty extent.</p> <p>2 Q. Right.</p> <p>3 That would be what? I'm sorry?</p> <p>4 A. Like pretty -- like, I would say --</p> <p>5 Q. Extensive?</p> <p>6 A. Extensive.</p> <p>7 Q. Right.</p> <p>8 There would be more debris, more damage,</p> <p>9 there'd be some other evidence that would be more</p> <p>10 dramatic than just merely fireworks present that</p> <p>11 you would observe if it was dynamite or a bomb,</p> <p>12 correct?</p> <p>13 MR. CASPER: Object to foundation.</p> <p>14 BY MR. BERSANI:</p> <p>15 Q. Is that right?</p> <p>16 A. Correct.</p> <p>17 Q. And you didn't observe any of that, did</p> <p>18 you?</p> <p>19 A. No.</p> <p>20 MR. BERSANI: Okay. Thank you.</p> <p>21 Nothing further.</p> <p>22 MR. ZIMMER: No, nothing.</p> <p>23 MR. FOWLER: One more. Sorry.</p> <p>24 THE WITNESS: That's okay.</p>

**LIDO A. GRAZIANI**  
**SCATCHELL vs VILLAGE OF MELROSE PARK**

**February 05, 2020**  
**65-68**

Page 65

1 FURTHER EXAMINATION  
2 BY MR. FOWLER:  
3 Q. Did Lieutenant Scatchell ever say to you  
4 that somebody had set off a bomb in his driveway?  
5 A. I don't recall.  
6 MR. FOWLER: Nothing further.  
7 MR. CASPER: I have a few things based on that.  
8 FURTHER EXAMINATION  
9 BY MR. CASPER:  
10 Q. So Lieutenant Scatchell appeared upset to  
11 you when you arrived, correct?  
12 A. Yes.  
13 Q. And you agreed with me already he  
14 appeared distressed to you, correct?  
15 A. Yes.  
16 Q. All right. And based on that, could you  
17 rely on Lieutenant Scatchell to think of everything  
18 that might need to be done to preserve the scene?  
19 A. I -- I mean, I would think that somebody  
20 who wasn't involved in the scene would have more of  
21 a level mind, but somebody who is maybe woken up out  
22 of a dead sleep with something occurring on their  
23 property could be a little bit more upset.  
24 Q. And John Scatchell, Senior, was off-duty,

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1 right?  
2 We covered that, I think. He was  
3 off-duty.  
4 A. Yes.  
5 Q. All right. And you were the person who  
6 was more level-headed who appeared on scene,  
7 correct?  
8 MR. BERSANI: Object to the form. It calls for  
9 speculation.  
10 MR. CASPER: Are you saying he's not level --  
11 never mind.  
12 Sorry.  
13 BY MR. CASPER:  
14 Q. You can answer.  
15 A. I would agree.  
16 Q. And --  
17 MR. BERSANI: Well, the way you asked it was  
18 you compared it to somebody else, so that was my  
19 objection.  
20 BY MR. CASPER:  
21 Q. Is there a conflict-of-interest policy in  
22 the police office -- in the police department's  
23 general orders that you're aware of?  
24 A. I'm sorry. What's that?

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1 Q. Is there a conflicts-of-interest policy  
2 in the police department's general orders that  
3 you're aware of?  
4 MR. BERSANI: Object to the form. Vague.  
5 BY THE WITNESS:  
6 A. I'm not aware.  
7 BY MR. CASPER:  
8 Q. All right. Well, you've been a law man  
9 for quite a number of years. I think you said  
10 eight -- did you say 18 years?  
11 A. That's all I've known  
12 Lieutenant Scatchell.  
13 Q. Okay. And you'd agree with me that it  
14 would be inappropriate for an officer who is a  
15 victim of a crime to investigate his own crime,  
16 right?  
17 A. Yes.  
18 Q. Okay. That would be against department  
19 policy, wouldn't it?  
20 MR. BERSANI: Object to the form. It calls for  
21 speculation.  
22 BY THE WITNESS:  
23 Q. I would have to see --  
24 MR. BERSANI: Lack of foundation.

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1 BY THE WITNESS:  
2 A. -- the department policy. I don't  
3 recall.  
4 BY MR. CASPER:  
5 Q. All right. So is there such a policy?  
6 A. I don't know.  
7 Q. Okay. But just as -- your experience as  
8 a career law man, would that be improper, for an  
9 officer to investigate his own crime, in your view?  
10 MR. BERSANI: Same objections.  
11 BY THE WITNESS:  
12 A. I would say yes.  
13 BY MR. CASPER:  
14 Q. And if an officer is a victim of a crime,  
15 would it be inappropriate, in your view, as a career  
16 law man for him to investigate the crime that he's a  
17 victim of?  
18 MR. BERSANI: Same objections.  
19 BY THE WITNESS:  
20 A. Yes.  
21 BY MR. CASPER:  
22 Q. Okay. Now, you testified a number of  
23 times today that if it -- in general, that if it  
24 happened, it would have been in your report.

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<p style="text-align: right;">Page 69</p> <p>1 Now -- but you wrote, "We spoke with 2 immediate neighbors who awoken to the noise." And 3 you didn't speak with the neighbors yourself, right? 4 MR. BERSANI: Objection. That's not what he 5 said, counsel. You mischaracterized his testimony. 6 BY THE WITNESS: 7 A. "We" meaning as a shift. 8 MR. CASPER: Okay. All right. That's all. 9 MR. BERSANI: I have nothing further. 10 MR. FOWLER: Nothing further. 11 MR. CASPER: Thank you. 12 MR. FOWLER: Are you going to talk to him about 13 reserving signature? 14 MR. BERSANI: Yeah. 15 So at this point -- this deposition may 16 be typed up into a transcript form, and so you have 17 two options. One, you could get a copy of that 18 transcript, we'd provide it to you, you'd review it 19 to see if -- make sure the court reporter took down 20 everything accurately based on your recollection. 21 You can't change testimony, but you can at least 22 indicate, "No, I really said this as opposed to 23 this." That's called reserving your signature. 24 The other option is to waive your</p>	<p style="text-align: right;">Page 71</p> <p>1 STATE OF ILLINOIS ) 2 ) SS: 3 COUNTY OF C O O K ) 4 5 I, LINDA SNODGRASS SABOR, a Notary 6 Public within and for the County of Cook, State of 7 Illinois, and a Certified Shorthand Reporter of said 8 state, do hereby certify: 9 That previous to the commencement of 10 the examination of the witness, the witness 11 swore/affirmed to testify the whole truth concerning 12 the matters herein; 13 That the foregoing deposition transcript 14 was reported stenographically by me, was thereafter 15 reduced to typewriting under my personal direction 16 and constitutes a true record of the testimony given 17 and the proceedings had; 18 That before the conclusion of the 19 deposition, the witness has not requested a review 20 of this transcript pursuant to Rule 30(e)(1); 21 That I am not a relative or employee or 22 attorney or counsel, nor a relative or employee of 23 such attorney or counsel for any of the parties 24 hereto, nor interested directly or indirectly in the</p>
<p style="text-align: right;">Page 70</p> <p>1 signature, meaning that you don't have an interest 2 in looking at it, you think that she probably did a 3 good job taking it down. 4 So I will tell you the last witness 5 waived the signature, so -- but it's entirely up to 6 you. If you want to look at it -- 7 THE WITNESS: No. I -- 8 MR. BERSANI: -- we'll make it available to 9 you. 10 THE WITNESS: I can waive it. 11 MR. BERSANI: Okay. Very good. 12 MR. CASPER: Thank you. 13 THE WITNESS: Thank you. 14 MR. FOWLER: Done. 15 MR. BERSANI: Thank you very much. 16 FURTHER DEPONENT SAITH NOT 17 TIME NOTED: 3:22 p.m. 18 19 20 21 22 23 24</p>	<p style="text-align: right;">Page 72</p> <p>1 outcome of this action. 2 IN WITNESS WHEREOF, I do hereunto set 3 my hand and seal of office at Palatine, Illinois, 4 this 24th day of February, 2020. 5 6 7 8 9 10 LINDA SNODGRASS SABOR, CSR, RMR, CRR, 11 Notary Public, Cook County, Illinois. 12 My commission expires December 2, 2023. 13 14 15 16 CSR Certificate No. 84-1850. 17 18 19 20 21 22 23 24</p>

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16	E X H I B I T S		
17	EXHIBIT NUMBER	MARKED FOR ID	
18	Graziani Exhibits		
19	Exhibit 1	14	
20			
21			
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Administrative Agency: Melrose Park PD Incident #: 201600028440 Case Nr:  
Report No. 1 Entered: 12/16/2016 02:16 By Officer: MP0082 Melrose Park PD Graziani

In summary: on 12-16-16 at approx. 01:11 Melrose park units and myself were dispatched to the area of 9<sup>th</sup> Ave and Winston Dr for a possible shots fired call. upon our arrival in the area r/o was flagged down by the caller who stated they heard what appeared to be gun shots approx. three of them heard on the near 9<sup>th</sup> and Winston. Upon further investigating the area off duty p/o Scatchell along with off duty Lt Scatchell advised via net radio that the incident occurred in front of being Lt Scatchells residence.

Upon arrival, I witnessed debris of spent fireworks that were set off in Lt Scatchells driveway. We spoke with immediate neighbors who awoken to the noise and were standing at their front door who stated, that they heard several loud bangs almost like gunfire going off in front of their home. Off duty p/o Panzani made the first call via 911 advising dispatch of the occurrence. No further to report

GRAZIANI /  
EXHIBIT  
FOR I.D. 2/5/2020 GS

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

VMP/JJS 2566